

DONALD E. DAVIS, SR., )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 4:12CV470 FRB  
 )  
 JUDY P. DRAPER, et al., )  
 )  
 Defendants. )

Rule 12(h)(3) of the Federal Rules of Civil Procedure provides: “If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.” The Court has reviewed the complaint and has determined that it should be dismissed for lack of jurisdiction.


Plaintiff brings this action against Judge Draper, a state court judge, and the 21st Judicial Circuit Court of Missouri (St. Louis County). Plaintiff alleges that he received four citations from a Normandy police officer. Plaintiff claims that Judge Draper is presiding over the court proceedings. Plaintiff complains that he filed a motion for dismissal but that Judge Draper did not rule the motion in a timely manner. Plaintiff also believes that the proceedings against him are illegal because the Normandy police officer acted outside of the city limits. Plaintiff seeks an order from

the Court directing the state court to comply with the laws of Missouri and the United States.

Federal district courts are courts of original jurisdiction; they lack subject matter jurisdiction to engage in appellate review of state court decisions. Postma v. First Fed. Sav. & Loan, 74 F.3d 160, 162 (8th Cir. 1996). “Review of state court decisions may be had only in the Supreme Court.” Id. As a result, this action must be dismissed for lack of subject matter jurisdiction.

An order of dismissal will be filed with this Memorandum.

Dated this 16th day of March, 2012.

  
\_\_\_\_\_  
CAROL E. JACKSON  
UNITED STATES DISTRICT JUDGE